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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,435	09/27/2001	Daniel Blaukopf	P-3601-US	8777

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EXAMINER	
CHANKONG, DOHM	
ART UNIT	**PAPER NUMBER**
2152	

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/963,435	BLAUKOPF ET AL.	
	Examiner	Art Unit	
	Dohm Chankong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1> This action is in response to Applicant's after-final remarks. Claims 1-20 are presented for further examination.

2> This is a final rejection.

Response to Arguments

3> The previous final rejection, mailed 7.18.2005, is vacated. However, upon further consideration, a new ground of rejection is made in view of new prior art.

4> Examiner respectfully disagrees with Applicant's characterization of the primary reference Aldred. Applicant first points to various sections of Aldred that reference a call manager establishing calls [column 26 «lines 62-67»], the fact that an application must register itself before communicating within the system [column 35 «lines 48-67»], that it is up to the launched application to identify itself to the system [column 36 «lines 21-55»]. It should be noted that the call manager may establish the calls but it is the first application that initiates such an action [column 6 «lines 20-24» where : the sending application is responsible for defining the channel characteristics] and that the launch_app function is issued by an application, not the call manager [column 29 «lines 18-19»]. Applicant further cites to [column 11 «lines 34-36»] suggesting that Aldred teachings that ports are only configured after an application has registered with the support system. Nowhere in Aldred does he make this declaration; the fact that the launched application must register with the system before

communicating with other applications does not immediately suggest that the ports are configured during or after this registration period. Aldred defines that parameters can be passed using his launch_app function [column 36 «lines 39-40»]. Aldred also clearly states that the sending application is responsible for establishing and defining channel characteristics between applications and that channels are defined by their ports [column 6 «lines 16-32»].

Examiner believes it is reasonable to suggest that the parameters passed in Aldred's launch_app function would be the channel characteristics needed for the launching and launched applications to communicate. That the launched application also returns a handle back to the launching application suggests that a channel has been already established between applications. The functionality cited by applicant, the handle being valid in very restricted circumstances until the launched application has registered, does not preclude the possibility that the channel and port information was already passed as parameters in the launch_app function; it merely suggests that there is limited communications until the applications registers its application handle with the support system so that the application may be recognized before they are allowed to communicate. A reason for registration might be to prevent already launched programs from being launched again [column 42 «lines 55-58»]. Certainly, Aldred does not state that only after registration does the launched application receive the channel and port information as suggested by Applicant.

Applicant also asserts that Aldred teaches away from passing port numbers as part of launching applications and reasserts the argument that the application first registering with a call manager before initiating or configuring channels and ports. This argument is not

persuasive. Modification of Aldred to include passing an channel and port information between applications does not change the principle of his invention as Aldred discloses passing parameters as part of the launch_app function and that the sending application is responsible for establishing the channel between applications. The registration functionality relied upon by Applicant merely suggests that the application must register before communications can begin. Contrary to Applicant's assertion, Aldred does not expressly disclose or even suggest that the launched application registers to obtain connection information, but instead allows other applications know that it has already been launched [column 43 «lines 27-28»]. In fact, the fact that a handle is returned to launching application and that there is return data to the launched application [column 11 «lines 36-39»] suggests communications between the applications after the launch_app function is initiated. The possibility that a channel has been already established between the applications and that the registration by the launched application is merely to allow other applications know that it has been launched imply that the launch_app function parameters are involved in providing the necessary information to the launched application.

Therefore, Examiner respectfully disagrees with Applicant's assertions that Aldred teaches away from passing port information as part of the launch_app function and that it would be unreasonable to modify Aldred in that regard. Based on Aldred's definition of his launch_app function and the disclosure that sending applications are responsible for establishing channels, Examiner believes that Aldred's user defined string that is passed as parameters in the launch_app function suggest passing channel and port information to the launched application that would enable handles to be passed between the applications.

Further, Aldred clearly discloses a "LAKES.INI" ASCII file that contains customization information, stored in an appropriate repository, the applications "having their own additional initialization filed" and the file containing configuration and start-up options, devices and physical communications link and other data specific to the applications [column 10 «lines 37-50»]. This further supports Examiner's argument that it is inherent that the port numbers are stored in a memory accessible to the applications. While Aldred does not disclose specifically that ports are stored, it is reasonable to assume that "configuration options" and physical communications link are all related to the connection (channel) configuration between applications. As ports are part of the configuration of the channel, it is inherent that the ports are stored in the LAKES.INI file that is associated with the applications. The fact that Aldred discloses channel & port functions that allow applications to modify the channel or port characteristics suggests that the applications must have access to the port information that allows them to modify the channel or port. Coupled with Aldred's showing of a customization file that is associated with the applications seems enough to suggest that it is inherent that the port numbers are stored in a memory accessible to the second application.

Further, Applicant's arguments in regards to claim 5 are not persuasive. Claim 5 is directed towards passing a "function reference value" through a command port connection; lacking any clear definition in the claims, Examiner interprets "function reference value" as simply a reference to a function. The portion cited by Examiner in Aldred refers to how applications can monitor the progress of calls [functions], by allowing applications to pass

reference identifiers to obtain the status (progress) of a call. Applicant argues that a reference identifier is not a function reference value but fails in the arguments and in the claims to define or distinguish the term "function reference value". Based on this, Examiner believes interpretation of the term is reasonable - that Aldred discloses a reference value referring to a function to enable applications to track progress of that function. Aldred also discloses that applications communicate through channels, the channels defined by the sending and receiving port. Thus, it is reasonable to suggest that the reference identifier is passed through the application's sending port.

Finally, Applicant's arguments in regards to claim 6 are not persuasive. Claim 6 is directed towards passing "function parameters" through a command port connection. Examiner interprets the term as merely parameters associated with functions. Aldred discloses that his command port allow the application to drive the receipt or supply of data to the port [column 7 «lines 46-47»]. Thus commands or functions issued by the application are submitted through the command port associated with the application. Aldred discloses submitting API commands, such as register_app, launch_app, or share functions, the commands clearly having function parameters, such as the application handle, application name, parameters for a launch_app function [see for example, column 35 «line 48» to column 36 «line 65»]. Since functions are submitted through the command port by applications, the parameters associated with the functions necessarily are passed though the command port as well.

Claim Rejections - 35 USC § 103

5> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6> Claims 1, 12 and 20 are rejected under 35 U.S.C § 103(a) as being unpatentable over Aldred et al, U.S Patent No. 5.719.942 ["Aldred"], in view of Raynak et al, U.S Patent No. 5.680.549 ["Raynak"].

7> Aldred discloses a method of communicating function calls or event notification between two applications [column 12 «lines 44-51»], said method comprising:

a first application launching a second application wherein the launching of the second application includes the first application passing parameters to the second application [column 5 «lines 51-63» | column 6 «lines 39-49» | column 7 «lines 33-62» | column 12 «lines 57-61»column 11 «lines 27-39» | column 29 «lines 8-19» | column 36 «lines 3-52» where:. Aldred clearly discloses a "launch_app" function that is "issued by an application", the launch_app having parameters that are "given to the launched application"].

Aldred does not expressly disclose storing the port numbers in a memory accessible to the second application nor does he disclose that the parameters passed in the launch_app are port numbers.

8> Aldred does disclose storing a customization file in a repository, the file containing configuration and start-up options as well as information relating to physical links [column 10 «lines 37-50» : LAKES.INI file] but does not explicitly disclose storing the port numbers. It is inherent to Aldred that the port numbers are stored in a memory accessible to both applications because Aldred discloses the LAKES.INI file contains configuration, start-up, and physical link information. Ports are related to configuration and physical link information of the applications. Furthermore, applications are able to alter ports and channels after having been initially established [column 8 «lines 49-55» | column 12 «lines 36-42»]. Therefore, the port and channel information must be stored in a place, such as the LAKES.INI file associated with the applications, that can be accessed by the applications in a manner that enables them to modify them as disclosed by Aldred. One would have been motivated to perform such an implementation as storing connection (port) information for applications is expected and well known in the art as it allows the applications to maintain connection flexibility.

9> While Aldred does not expressly disclose passing ports as parameters in the launch_app function. However, such functionality is suggested by Aldred's disclosure that a sending application is responsible for establishing channels and the channels being defined by ports [column 6 «lines 17-32»]. Further, Aldred discloses that after an application has been launched, the launched application's handle is returned to the launching application [column 11 «lines 33-34»] and there is return data to the launched application [column 11 «lines 36-38»].

Such functionality suggests that a channel has already been established between the launched and launching application.

Further, Raynak is directed towards a system for enabling a first application to invoke a second application. The first application passes to the second application port and connection information as part of launching the second application as command-line parameters [Figure 4 | column 1 «lines 11-24» | column 6 «lines 32-57»]. Examiner notes that the second application uses the port information to take over the connection from the first application, and thus is not completely analogous to the second application in Aldred. However, the functionality relied upon in Raynak is that port and other connection information is transmitted by a launching application to a launched application. It would be obvious to one of ordinary skill in the art to incorporate Raynak's command-line parameters into Aldred's launch_app parameters to enable the launched application. As mentioned, Aldred's disclosure of handle and return data being transmitted between the launched application and the launching application in response to the launch_app function suggests that a connection is established between the applications. Thus, Raynak's command-line parameters teaches that Aldred's launch_app parameters could include port information.

10> As claim 12 is merely an article that performs the steps of the method of claim 1, it does not teach of further define over the limitations of claim 1. Therefore, claim 12 is rejected for the same reasons set forth in claim 1, supra.

11> As to claim 20, Aldred discloses a device, comprising:

a processor [column 3 «lines 65-66»];

a memory coupled to the processor [column 3 «lines 65-67» | column 4 «lines 39-43»],

wherein the memory comprises program

instructions configured to implement:

the limitations of the method of claim 1 [see claim 1, supra].

12> Claims 2-6, 8-11, 13-17, and 19 are rejected under 35 U.S.C § 103(a) as being unpatentable over Aldred and Raynak, in further view of Simonoff et al, U.S Patent No. 6.005.568 ["Simonoff"].

13> As to claim 2, Aldred does not explicitly disclose the method comprising the second application connecting a TCP/IP client socket to the event port.

14> Connecting a TCP/IP socket to a port is well known and expected in the art. For example, Simonoff discloses establishing a socket connection on a given port [column 8 «lines 63-65» | column 10 «lines 13-27»]. In addition, it is well known in the art that sockets are commonly defined in part by a port address. Therefore, as Aldred discloses event ports as endpoints to the two-way communication channel, it would have been obvious to one of ordinary skill in the art to have reasonably inferred that TCP/IP socket functionality would have been included in Aldred's system.

15› As to claim 3, Aldred does not explicitly disclose the method comprising connecting a TCP/IP client socket to the command port.

16› Connecting a TCP/IP socket to a port is well known and expected in the art. For example, Simonoff discloses establishing a socket connection on a given port [column 8 «lines 63-65» | column 10 «lines 13-27»]. In addition, it is well known in the art that sockets are endpoints of a two-way communication link and are commonly defined in part by a port address. Therefore, as Aldred discloses command ports as endpoints to the two-way communication channel, it would have been obvious to one of ordinary skill in the art to have reasonably inferred that TCP/IP socket functionality would have been included in Aldred's system, and specifically, that establishment of the TCP/IP socket would connect to both ports located on either end of the channel.

17› As to claim 4, Aldred does disclose storing the connection parameters of streams between applications [column 4 «lines 44-54» | column 7 «lines 44-62» | column 8 «line 56» to column 9 «line 5»].

It is well known in the art that sockets are endpoints of a two-way communication link and are commonly defined in part by a port address. Therefore, as Aldred discloses event ports as endpoints to the two-way communication channel, it would have been obvious to one of ordinary skill in the art to have reasonably inferred that TCP/IP socket functionality would have been included Aldred's system, and specifically, that the Aldred's stream

connection parameters (IP address, bandwidth, ports, quality of service, etc.) would be applied to client sockets.

18› As to claim 5, Aldred discloses the method of claim 2, further comprising passing a function reference value through the command port connection [column 24 «lines 52-61»].

19› As to claim 6, Aldred discloses the method of claim 3, further comprising passing a function parameter through the command port connection [column 24 «lines 39-42» | column 35 «line 48» to column 36 «line 65» : see for example, the "parameters" passed along with the launch_app function].

20› As to claim 8, Aldred discloses the method of claim 2, further comprising passing an event notification tag through event port connection [column 31 «line 59» to column 32 «line 67»].

21› As to claim 9, Aldred discloses the method of claim 8, further comprising checking the event port for an event notification tag [column 25 «lines 23-27» | column 30 «lines 48-51» where: the command initiates monitoring for events at the port].

22› As to claim 10, Aldred discloses the method of claim 9, further comprising checking the command port in response to receiving an event notification tag [column 25 «line 53» to column 26 «line 10»].

23› As to claim 11, Aldred discloses the method of claim 9, passing through the event port connection an event port notification tag relating to the completion of a function [column 37 «lines 1-9»].

24› As to claims 13-17 and 19, as they are merely articles that perform the steps of the method of claims 2-6 and 8, respectively, they do not teach or further define over the limitations of claims2-6 and 8. Therefore, claims 13-17 and 19 are rejected for the same reasons set forth for claims 2-6 and 8, supra.

25› Claims 7 and 18 are rejected under 35 U.S.C § 103 (a) as being unpatentable over Aldred, Raynak and Simonoff; in further view of Jalili et al, U.S Patent No. 5.423.042 ["Jalili"].

26› Simonoff does disclose the method of claim 5 further comprising passing a value of memory location [column 36 «lines 34-37»] but does not specifically disclose storing a result of a function trigger by the passing of the function reference value.

27› Jalili discloses passing a value of a memory location for storing result of a function trigger by the passing of the function reference value [abstract | column 10 «lines 33-48»]. It would have been obvious to one of ordinary skill in the art to incorporate Jalili's memory

location for storing results of functions into Simonoff's pointer functionality to communicate to the second application where to store the results of a function.

28> As claim 18 is merely an article that performs the steps of the method of claim 7, it does not teach of further define over the limitations of claim 7. Therefore, claim 128is rejected for the same reasons set forth in claim 7, supra.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

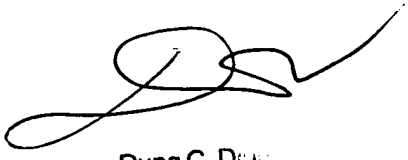
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



Dung C. Dinh
Primary Examiner